

REMARKS

In the Office Action mailed July 5, 2005, the Examiner rejected claims 1, 2, 4-10, 14, and 16-20 under 35 U.S.C. § 102(e) as being anticipated by *Ishikawa et al.* (U.S. Patent No. 6,510,052); and objected to claims 3, 11-13, and 15 as being dependent upon a rejected base claim. The Examiner stated claims 3, 11-13, and 15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, Applicants amend claims 1, 2, 4, 5, 7, 8, 10, 11, and 16-18 to better define the claimed invention; add new claims 21 and 22; and cancel claims 14 and 15 without prejudice or disclaimer. Claims 1-13 and 16-22 remain pending. Of these claims, claims 1, 7, 21, and 22 are independent.

The originally-filed specification, claims, abstract, and drawings fully support the amendments to claims 1, 2, 4, 5, 7, 8, 10, 11, and 16-18. No new matter has been introduced.

Applicants gratefully acknowledge the Examiner's indication of allowable subject matter in claims 3, 11-13, and 15. However, Applicants have not rewritten claims 3, 11-13, and 15 to include all of the limitations of the base claims and any intervening claims because independent claims 1 and 7, as currently amended, and new independent claims 21 and 22, are patentably distinguishable over the cited prior art.

I. 35 U.S.C. § 102(e) REJECTION

Applicants respectfully submit that claims 1 and 7 patentably distinguish over *Ishikawa* at least for the reasons described below.

In order to properly anticipate Applicants' claimed invention under 35 U.S.C. §102, each and every element of the claim in issue must be found, "either expressly or inherently described, in a single prior art reference." "The identical invention must be shown in as complete detail as is contained in the . . . claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)." See M.P.E.P. § 2131, 8th ed., 2001.

Ishikawa teaches a cooling unit comprising first and second pipe lines 50 and 51, wherein portions are composed of an expandable bellows pipe 52 having flexibility. (*Ishikawa*, col. 9, ll. 57-60). *Ishikawa*, however, is silent at least as to having an odd-shaped portion connecting the first and second pipe lines 50 and 51, wherein the odd-shaped portion comprises pipes different from the first and second pipe lines 50 and 51 in inside diameter. Similarly, in Figures 16 and 18A, *Ishikawa* discloses first and second pipe lines 130 and 131 joined detachably through a joint 140. However, *Ishikawa* is silent as to having joint 140 comprising pipes different from the first and second pipe lines 130 and 131 in inside diameter. Accordingly, *Ishikawa* necessarily fails to teach or suggest the claimed combination including, *inter alia*, "a part of the circulation pipe including an odd-shaped portion which has pipes different from the other part in inside diameter," as recited in claim 1, and "[a] part of the circulation pipe which passes through the hinge portion including an odd-shaped portion which has pipes different from the other part in inside diameter," as recited in claim 7. Consequently, Applicants respectfully request that the rejection of claims 1 and 7 under 35 U.S.C. § 102(e) be withdrawn.

Moreover, claims 2-6 are allowable at least due to their dependence from independent claim 1, and claims 8-13 and 16-20 are allowable at least due to their dependence from independent claim 7. In addition, each of the dependent claims recites unique combinations that are neither disclosed nor suggested by the cited art, and therefore each also are separately patentable.

Additionally, Applicants submit that new claims 21 and 22 patentably distinguish over *Ishikawa* at least for the reasons described above. *Ishikawa* necessarily fails to teach or suggest the claimed combination including, *inter alia*, “a part of the circulation pipe including an odd-shaped portion which has a different number of pipe passages from other portions of the circulation pipe,” as recited in claim 21, and “a part of the circulation pipe including an odd-shaped circulation pipe having a substantially elliptic cross section,” as recited in claim 22.

II. CONCLUSION

Applicants respectfully submit that independent claims 1, 7, 21, and 22 are in condition for allowance. In addition, claims 2-6 are in condition for allowance at least due to their direct dependence from independent claim 1, and claims 8-13 and 16-20 are in condition for allowance at least due to their direct and indirect dependence from independent claim 7.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the prior art reference cited against

this application. Applicants therefore request the entry of the amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



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By: Reg. No. 33,921



Richard V. Burgujian
Reg. No. 31,744